



W.P(MD)No.20679 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.20679 of 2025

Azhagar

... Petitioner

Vs.

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The District Revenue Officer
Kovilpatti Taluk,
Thoothukudi District.
- 3 . The Central Bank of India Kadambur Branch,
Represented by its Manager,
Kayathar Taluk,
Thoothukudi District.

... Respondents

PRAAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings passed by the 1st respondent in Moo.Mu.Si3/10885/2016 dated 05.12.2022 and quash the same as illegal and directing the respondents 1 & 2 to approve the petitioner by adding as retainer to the arm license No.36/1988/KLP of the 3rd respondent considering the letter dated 21.03.2025 sent by 3rd respondent within a stipulated time.



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For Petitioner : Mr.K.Prabu
For Respondent : Mr.K.S.Selva Ganesan
Additional Government Pleader
for R1 & R2
: Mr.N.Dilip Kumar for R3

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned proceedings passed by the 1st respondent dated 05.12.2022 and consequently direct the respondents 1 & 2 to approve the petitioner by adding as retainer to the arm license No.36/1988/KLP of the 3rd respondent considering the letter dated 21.03.2025 sent by 3rd respondent within a stipulated time.

2. The petitioner has served in the Army. After retirement he has been engaged by the third respondent Bank as Armed Guard to protect the third respondent Bank. However, there was an allegation against the petitioner, based on the same, FIR has been registered in Ottapidaram Police Station in Crime No. 155/2017 and was taken on file as STC.No.438 of 2018 on the file of the learned Judicial Magistrate, Vilathikulam and the same is pending adjudication. In the meanwhile, the petitioner has approached the High Court in CrI.O.P.(MD)No. 1266 of 2025 and obtained an order of interim stay against the criminal proceedings. In such circumstances, when the petitioner is seeking to issue gun



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licence, the first respondent has passed the impugned order by relying on the report submitted by the Superintendent of Police, Thoothukudi and has refused to renew the licence. A copy of the report was not served on the petitioner. Therefore, the petitioner submitted that there is a violation of natural justice. Further, he has obtained an order of stay in CrI.O.P.(MD)No.1266 of 2024.

3. The learned counsel for the third respondent submitted that the petitioner is an Armed Guard serving in the third respondent Bank to protect the Kadambur Branch. Hence, gun licence is essential for his duty while serving the third respondent. Therefore, he also supports the case of the petitioner.

4. In such circumstances, the petitioner is entitled to the relief sought for in this writ petition. Therefore the impugned order dated 05.12.2022 is quashed. The District Collector, Thoothukudi District/the first respondent is directed to serve a copy of the report of the Superintendent of Police to the petitioner. On receipt of the same, the petitioner is directed to submit an explanation to the District Collector and the District Collector shall consider the same and pass appropriate orders. The said exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.



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5. With these observations, this writ petition is allowed. No Costs.

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NCC : Yes / No
Index : Yes / No
Internet : Yes

PJL

To:

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The District Revenue Officer
Kovilpatti Taluk,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

PJL

**ORDER MADE IN
W.P(MD)No.20679 of 2025**

DATED : 04.08.2025